

UNITED STATES OF AMERICA
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

ADRIANO AMARO)

CRIMINAL NO. 05-mj-01035-JGD

MOTION TO CONTINUE DETENTION/PROBABLE CAUSE HEARING

The defendant, Adriano Amaro, hereby moves this Honorable Court to continue the detention/probable cause hearing now scheduled for February 22, 2005 to Monday, February 28, 2005. The defendant states the following grounds in support of this motion:

1. Defense counsel is scheduled to appear in Boston Municipal Court that day on the following cases: (1) Commonwealth v. David Simo, Docket No. 0405CR001372 (scheduled for trial); (2) Commonwealth v. Jaqueline Gilbert, Docket Nos. 0401CR7065, 0401CR2970, and 0301CR2613 (scheduled for disposition); and (3) Commonwealth v. Henrie Alvarez, Docket No. 0401CR6458 (status, Spanish interpreter required).

2. The likelihood that counsel will be able to complete her appearances in all three matters in time to appear in federal court in this matter by 11:15 is extremely low. The cases will be called in different sessions, and while counsel will make her best effort to move efficiently between sessions keeping all clerks informed of her whereabouts, past experience indicates this will not be sufficient, particularly where an interpreter (who may or may not turn out to be available) is needed in one of the cases. The bottom line is

ALLOWED to 2/28/05 at
11:00 am. before Judge Deina.

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that counsel cannot reliably say she will be available for the hearing presently scheduled for February 23, 2005 at 11:15 a.m.¹

3. Counsel is hopeful that her Boston Municipal Court matters will conclude in time for her to attend part of the hearing, (in which case she intends to do so, as an observer) but cannot be confident of her availability at the outset.

WHEREFORE, the defendant respectfully requests this Honorable Court to allow this motion and continue the detention and probable cause hearing in this matter to Monday, February 28, 2005.

ADRIANO AMARO
By his Attorney,

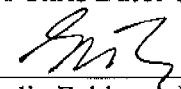


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CERTIFICATE OF SERVICE

I, Leslie Feldman-Rumpler, attorney for the defendant, hereby certify that I have served a copy of the within document on AUSA Chris Bator by facsimile.

2/22/05
Date



Leslie Feldman-Rumpler, Esq.

¹ Counsel made this known at the time the hearing was scheduled, but there was a conflict in the afternoon for one of the co-defendant's attorneys.